HIGH COURT OF UTTARANCHAL AT NAINITAL ORIGINAL JURISDICTION

Dated Nainital the 10th May, 2006

Bail Application No. 302 of 2006

Order on the bail application of accused

CRIMINAL SIDE

Rajesh Singh
S/o Sri Gabar Singh
R/o Village Makudi, Patwari Chauki –Tikochi
Tehsil –Morie,
District –Uttarkashi ……..Applicant

Versus

State of Uttaranchal ……Opposite Party

In Case Crime No. 4 of 2005
U/s 302, 201, 397 I.P.C.
Police station Patwari Chauki Morie
District –Uttarkashi

Hon'ble J.C.S.Rawat,J.

Heard Sri Prabhakar Joshi-learned counsel for the applicant, learned AGA for the State and perused the record.

The case rests on circumstantial evidence. There are two circumstances against the accused-applicant. There is the evidence of some witnesses that the deceased was last seen in the company of the accused-applicant and thereafter he was not found alive. The other circumstance which has been stated is the recovery of *lass* and it has been alleged in the fard memo that the recovery of the *lass* was made at the pointing out of the present accused- applicant. Perusal of the medical report reveals that some bones of the deceased were examined by the Doctor. It was contended that the discovery as has been alleged in the memo cannot be said to be a discovery.

Considering the facts and circumstance of the case in totality, it is a fit case for bail at this stage.

Let the accused- applicant, Rajesh Singh be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(**J.C.S.Rawat,J.)**

Dated 10.05.2006
Shiv